

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**NEONODE SMARTPHONE LLC,**

**Plaintiff,**

**v.**

**APPLE INC.**

**Defendant.**

**Civil Action No. 6:20-cv-00505**

**JURY TRIAL DEMANDED**

**BETTY H. CHEN DECLARATION IN SUPPORT OF DEFENDANT APPLE INC.'S  
MOTION TO TRANSFER VENUE TO THE NORTHERN  
DISTRICT OF CALIFORNIA**

I, Betty H. Chen, am a Principal at the firm of Fish & Richardson P.C., counsel of record for Apple Inc. I make this declaration in support of Apple Inc.'s Motion to Transfer Venue to the Northern District of California. I state that the following is true and correct to the best of my knowledge and belief.

1. Attached hereto as Exhibit B is a true and correct copy of Plaintiff Neonode Smartphone, LLC's Preliminary Disclosure of Infringement Contentions.

2. Attached hereto as Exhibit C is a true and correct copy of the Declaration of Mark Rollins.

3. Attached hereto as Exhibit D is a true and correct copy of Neonode Smartphone, LLC's Articles of Incorporation, retrieved from the Wyoming Secretary of State website, <https://sos.wyo.gov> on November 5, 2020.

4. Attached hereto as Exhibit E is a true and correct copy of the Neonode Inc. Press Release regarding this lawsuit, retrieved from <https://neonode.com/neonode-reports-that-neonode->

smartphone-llc-an-independent-third-party-and-a-subsiidiary-of-aequitas-technologies-llc-has-filed-patent-infringement-lawsuits-against-apple-inc-and-samsung-electronic/ on November 5, 2020.

5. Attached hereto as Exhibit F is a true and correct copy of the Aequitas Technologies, LLC Contact Us webpage, retrieved from <http://www.aequitastech.com/contact-1.html> on November 5, 2020.

6. Attached hereto as Exhibit G is a true and correct copy of the Transcript of Telephonic Conference Before the Honorable Alan D. Albright, dated October 23, 2020.

7. Attached hereto as Exhibit H is a true and correct copy of Magnus Goertz' LinkedIn Profile webpage, retrieved from <https://www.linkedin.com/in/magnus-goertz-0905ba/> on November 5, 2020.

8. Attached hereto as Exhibit I is a true and correct copy of U.S. Patent No. 8,812,993.

9. Attached hereto as Exhibit J is a true and correct copy of the Soquel Group webpage, retrieved from <http://soquelgroup.com> on November 5, 2020.

10. Attached hereto as Exhibit K is a true and correct copy of the Google "Our Locations" webpage, retrieved from <https://careers.google.com/locations/> on November 5, 2020.

11. Attached hereto as Exhibit L is a true and correct copy of the Nuance "Swype for Android" webpage, retrieved from <https://www.nuance.com/mobile/mobile-applications/swype/android.html> on November 5, 2020.

12. Attached hereto as Exhibit M is a true and correct copy of the Nuance "Where we work" webpage, retrieved from <https://www.nuance.com/about-us/where-we-work.html> on November 5, 2020.

13. Attached hereto as Exhibit N is a true and correct copy of the LinkedIn Profile webpage of Joseph Shain, retrieved from <https://www.linkedin.com/in/joseph-shain-0b7b671/> on November 5, 2020.

14. Attached hereto as Exhibit O is a true and correct copy of the Google Flights search page for flights from Irvine, California to San Francisco, California, retrieved from [https://www.google.com/flights?hl=en#flt=x/m/0d7k1z.SFO.2020-11-21\\*SFO.x/m/0d7k1z.2020-11-25;c:USD;e:1;sd:1;t:f](https://www.google.com/flights?hl=en#flt=x/m/0d7k1z.SFO.2020-11-21*SFO.x/m/0d7k1z.2020-11-25;c:USD;e:1;sd:1;t:f) on November 5, 2020.

15. Attached hereto as Exhibit P is a true and correct copy of the Google Flights search page for flights from Irvine, California to San Francisco, California, retrieved from [https://www.google.com/flights?hl=en#flt=/m/06mxs.SFO.2020-11-21\\*SFO./m/06mxs.2020-11-25;c:USD;e:1;sd:1;t:f](https://www.google.com/flights?hl=en#flt=/m/06mxs.SFO.2020-11-21*SFO./m/06mxs.2020-11-25;c:USD;e:1;sd:1;t:f) on November 5, 2020.

16. Attached hereto as Exhibit Q is a true and correct copy of the Google Flights search page for flights from Irvine, California to San Francisco, California, retrieved from [https://www.google.com/flights?hl=en#flt=/m/06mxs.ACT.2020-11-21\\*ACT./m/06mxs.2020-11-25;c:USD;e:1;sd:1;t:f](https://www.google.com/flights?hl=en#flt=/m/06mxs.ACT.2020-11-21*ACT./m/06mxs.2020-11-25;c:USD;e:1;sd:1;t:f) on November 5, 2020.

17. Attached hereto as Exhibit R is a true and correct copy of the Northern District of California Time to Milestone statistics, retrieved from <https://docketnavigator.com> on November 3, 2020.

18. Attached hereto as Exhibit S is a true and correct copy of the Western District of Texas Time to Milestone statistics, retrieved from <https://docketnavigator.com> on November 5, 2020.

19. Attached hereto as Exhibit T is a true and correct copy of the list of Judge Alan D. Albright's active cases, retrieved from <https://docketnavigator.com> on November 5, 2020.

20. Attached hereto as Exhibit U is a true and correct copy of the list of Judge Edward Davila's active cases, retrieved from <https://docketnavigator.com> on November 5, 2020.

21. Attached hereto as Exhibit V is a true and correct copy of the list of Judge William Alsup's active cases, retrieved from <https://docketnavigator.com> on November 5, 2020.

Signed under penalty of perjury, this 5th day of November, 2020.

/s/ *Betty H. Chen*

Betty H. Chen